

08-31-01

SECTOR

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PTO/SB/21 (6-99)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U S DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(Use for all correspondence after initial filing)

		Application Number	09/897,701
		Filing Date	June 29, 2001
		First Named Inventor	Randall H. Chance
		Group/Art Unit	2635
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number	27251-703

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version with Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) (3 pgs) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney by Assignee <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Declaration (5 pgs.) Copy of Notice to File Missing Parts of Application (1 pg.) Transmittal of Substitute Drawings 12 Sheets of Drawings Copy of Notice to File Missing Parts of Application Copy of Filing Receipt w/ marked changes
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	David J. Weitz, Reg. No. 38,362, WILSON SONSINI GOODRICH & ROSATI		
Signature	<i>David J. Weitz</i>		
Date	<i>Aug 28, 2001</i>	Customer Number:	021971

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Commissioner for Patents, Washington, D.C. 20231, on this date: <i>August 29, 2001</i>			
		Express Mail Label EL757542802US	
Typed or printed name	Cindy Baglietto		
Signature	<i>Cindy Baglietto</i>	Date	<i>8/29/2001</i>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

AUG 29 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Randall H. Chance, et al.

Group No.: 2635

Serial No. 09/897,700

Examiner: Not Yet Assigned

Filed: June 29, 2001

For: Telemetry System and Method

Commissioner for Patents
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS—NONPROVISIONAL APPLICATION

- I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed July 26, 2001. A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

POWER OF ATTORNEY

- III. Enclosed is an original Power of Attorney by Assignee to Exclusion of Inventor.

SUBSTITUTE DRAWINGS

- IV. Enclosed are Substitute Drawings in compliance with 37 CFR 1.84.

SMALL ENTITY STATUS

- V. Applicant claims small entity status. See 37 CFR 1.27.

COMPLETION FEES

1. Filing Fee: Original patent application (37 C.F.R. 1.16(a))	\$ 355.00
2. Fee for Claims: Each claim in excess of 20 (37 C.F.R. 1.16(c))	\$ 153.00
3. Fee for Claims: Each independent claim in excess of 3 (37 C.F.R. 1.16(b))	\$ 0.00
4. Surcharge Fee: Late payment of filing fee (37 C.F.R. 1.16(e))	\$ 65.00
5. Assignment (See "ASSIGNMENT COVER SHEET".)	\$ 40.00
6. Total completion fees	\$ 613.00

EXTENSION OF TIME

- VI. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Fee Due: \$0

REQUEST FOR CORRECTED FILING RECEIPT

- VII. Attached is a copy of the official filing receipt for which issuance of a corrected filing receipt is respectfully requested. There are errors with respect to the following, which are incorrectly entered.

Error in

Correct data

- | | |
|------------------------------------|--|
| 1. Applicant name and/or addresses | - Randall H. Chance, Round Rock, Texas ; David X. Young, Austin Texas ; Donald J. Davis, Austin, Texas ; Thomas A. Garner, Austin Texas ; Michael A. Young, Pflugerville, Texas ; Michael P. Devine, Austin, Texas ; Spencer Nimberger, Houston, Texas ; Kevin J. Cessac, Houston, Texas ; Richard J. Smalling; Austin Texas ; Kejun Chen, Austin, Texas |
| 2. Priority Claim | - This application is a CIP of 09/897,700 filed June 29, 2001 which is a CIP of 09/427,415 filed October 27, 1999 |

At least one of the above corrections is due to applicant's error and the fee under 37 C.F.R. 1.19(h), of \$25.00 applies.

TOTAL FEE DUE

VIII. The total fee due is: Completion fees \$ 613.00 Extension of Time Fees \$ 0 Corrected Filing Receipt Fees \$ 25.00
TOTAL FEE DUE \$ 638.00

PAYMENT OF FEES

IX. Charge Account No. 23-2415 (27251-703) in the amount of \$ 638.00.
Please charge Account No. 23-2415 (27251-703) for any fees that may be due by this paper.



David J. Weitz, Reg. No. 38,362

Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304
(650) 493-9300
Customer No. 021971

0959701.022901

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FREE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$) 638.00

Complete if Known

Application Number 09/897,701
Filing Date June 29, 2001
First Named Inventor Randall H. Chance
Examiner Name Not Yet Assigned
Group/Art Unit 2635
Attorney Docket Number 27251-703

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 23-2415 (Docket No. 27251-703)

Deposit Account Name Wilson Sonsini Goodrich & Rosati

☐ Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 355.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
37	-20** = 17	9 00	153.00
Independent Claims 3	-3** = 0	40 00	0.00
Multiple Dependent			

**or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 153.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify)		25		Request for Corrected Filing Receipt	25.00
Other fee (specify)		55/110		Terminal Disclaimer	

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	David J. Weitz	Registration No. (Attorney/Agent)	38,362	Telephone	650-493-9300
Signature	David J. Weitz	Date	Aug. 28, 2001	Customer No.	021971

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



Practitioner's Docket No. 27251-703

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Randall H. Chance, et al.

Serial No.: 09/897,701

Filed: June 29, 2001

For: Telemetry System and Method

Group: 2635

Examiner: Not Yet Assigned

Commissioner for Patents

Washington, D.C. 20231

TRANSMITTAL OF SUBSTITUTE DRAWINGS IN COMPLIANCE WITH 37 CFR 1.84
WITHIN TWO MONTH PERIOD OF RESPONSE SET IN
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

SUBMISSION OF DRAWING(S)

1. To correct the margins in the informal drawings as noted in the Notice to File Missing Parts of Nonprovisional Application dated July 26, 2001, applicants submit herewith substitute informal drawings with the appropriate margins, for this application.

Number of sheets of drawings submitted: 12

2. The two month period of response set in the Notice expires on September 26, 2001. This submission is on or before this expiry date.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

David J. Weitz

David J. Weitz, Reg. No. 38,362

650 Page Mill Road
Palo Alto, CA 94304
(650) 493-9300
Customer No. 021971

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Commissioner for Patents, Washington, D.C. 20231, on this date: August 29, 2001

Express Mail Label EL757542802US

Typed or printed name

Cindy Baglietto

Signature

Cindy Baglietto

Date

8/29/2001



AUG 29 2001

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D. C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/897,701	06/29/2001	Randall H. Chance	27251-703

CONFIRMATION NO. 1522

021971
WILSON SONSINI GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 943041050

FORMALITIES LETTER



OC000000006343388

Date Mailed: 07/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$153.
 - \$153 for 17 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 573.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09897701-082901
106220-10226860